

*[Decorative separator consisting of multiple small circular symbols]*

CHAPTER 13

**C. Things the TRCC does NOT or CANNOT Do:** The TRCC does not or cannot do the following:

1. Does NOT serve as a Modification of plan after confirmation under 11 U.S.C. 1329. The Trustee cannot add or delete the payment of a claim through the claims' reconciliation process as reflected in the TRCC. Only a motion to modify can accomplish a modification of the plan after confirmation.
2. Does NOT serve as an Objection to a Claim under 11 U.S.C. 502. Only an Objection to a claim filed in this case can serve for that purpose.
3. Does NOT set or establish replacement value of collateral that is subject to valuation under 11 U.S.C. 506 (ie, cram down). Replacement value of such collateral may only be set by the terms of the confirmed plan, agreement of the parties, an objection to a proof of claim, or motion for valuation. Since the Debtor(s)' estimated replacement value is set forth in the terms of the confirmed Chapter 13 Plan, the TRCC will reflect that the Trustee will be paying the lesser of the secured amount of the underlying claim or the replacement value as set forth in the Chapter 13 Plan. If the secured amount as set forth in the Creditor's proof of claim is greater than the Debtor(s)' replacement value as set forth in the confirmed Chapter 13 Plan and replacement value may not be otherwise set, the Trustee will note to pay the replacement value as set forth in the confirmed Plan but will also note that the Plan is infeasible and that the Trustee will generate a Motion to Dismiss if such is not otherwise resolved by the Debtor(s).
4. Can NOT add for payment a priority claim that was not otherwise provided for under the terms of the confirmed Chapter 13 Plan. As noted above, the Trustee will note in her TRCC that such a claim is not in the Plan; that the Trustee will not pay the claim, and that the plan is infeasible which will cause the Trustee to generate a Motion to Dismiss if such is not otherwise resolved by the Debtor(s).
5. Can NOT cure an underfunding issue with the terms of the confirmed Plan. The Trustee will note in her TRCC that such a Plan is infeasible in that there are not sufficient amount of funds in the plan base to pay all of the claims to be paid under the terms of the Plan and the Trustee will generate a Motion to Dismiss if such is not otherwise resolved by the Debtor(s).

**D. Subsequent Adjustments to the TRCC:** The Trustee shall adjust her proposed disbursements as set forth in the TRCC as follows for the following events:

1. The entry of any subsequent claim objection order pertaining to a claim provided for in the confirmed Plan;
2. The entry of any subsequent valuation order securing an allowed claim provided for in the confirmed Plan that is subject to 11 USC 506 bifurcation;
3. The filing of any amended proof(s) of claim filed herein pertaining to an allowed claim provided for in the confirmed Plan;
4. The withdrawal of any proof(s) of claim provided for in the confirmed plan;
5. The entry of any subsequent order allowing for payment of any claim filed after the claims' bar dates or by the provisions of 11 USC 1305;
6. The termination of the automatic stay as to the property being provided for in the confirmed Plan as noted in Sections 3.2, 3.3, and 3.4 of the confirmed Plan; and/or
7. Any approved Motion to Modify.

**III.**

**Trustee's Claims Adjudication or Preliminary Notice of Infeasibility after TRCC**

The Trustee has made the preliminary determination as set forth below that the terms of the confirmed Chapter 13 Plan are either feasible or infeasible. The Trustee provides this information to the parties in interest for informational purposes only and is not seeking, through the TRCC, a judicial finding that the plan is in fact feasible or not feasible. If the Trustee determines that the confirmed Plan is in fact infeasible, the Debtor(s) must address this infeasibility on the Plan within forty-five (45) days after the filing of this TRCC. In the event the infeasibility of the Plan is not timely addressed by the Debtor(s), the Trustee or other interested party may file a motion to dismiss the Debtor(s)' bankruptcy case based upon this infeasibility.

☐ The Trustee is of the opinion that the Plan is feasible and that all claims have been reconciled by the terms of this TRCC without the necessity of a motion to modify or other action by the Debtor(s).

☒ The Trustee is of the opinion that the confirmed Chapter 13 Plan is infeasible for one or more of the following reasons:

☐ The replacement value of collateral subject to cram down as set forth in the terms of the confirmed Chapter 13 Plan does not fully provide for the payment of the secured value of the collateral as set forth in the applicable secured claim and this discrepancy has not been resolved by an agreement of the Debtor(s) and the affected creditor or by the entry of a Court Order setting value for said collateral.

☒ The proposed Chapter 13 Plan is underfunded in that the Plan Base is insufficient to allow the Trustee to pay in full all of the allowed claims as filed herein pursuant to the terms of the confirmed Chapter 13 Plan .

☒ The proposed Chapter 13 Plan fails to provide for the full payment, in deferred cash payments, of all claims entitled to priority under 11 USC 507 as required under 11 USC 1322(a)(2).

☐ The proposed Chapter 13 Plan fails to provide sufficient funding for the unsecured creditors pool .

☐ The proposed Chapter 13 Plan fails to meet the confirmed liquidation value .

Respectfully submitted,

/s/ Carey D. Ebert

Carey D. Ebert TBN 05332500  
H. Jefferson LeForce TBN 00791094  
Office of the Standing Chapter 13 Trustee  
500 North Central Expressway, Suite 350  
Plano, Texas 75074  
(972) 943-2580

**Order of Payment (Section 9.2 of Plan)**

**Unless the Court orders otherwise, the Trustee shall make Disbursements in the Following Order:**

- (1) Trustee's fees under Section 4.2 of the Plan upon receipt of plan payment
- (2) Adequate protection payments under Sections 3.3 and 3.4 of the Plan
- (3) Allowed attorney fees under Section 4.3 of the Plan
- (4) Secured claims under Sections 3.2, 3.3, and 3.4 of the Plan concurrently
- (5) DSO priority claims under Sections 4.4 and 4.5 of the Plan concurrently
- (6) Non-DSO priority claims under Section 4.6 of the Plan
- (7) Specially classed unsecured claims under Section 5.1 of the Plan
- (8) General unsecured claims under Section 5.2 of the Plan

**(Section 3.1 of Plan)**

**Post-Petition Home Mortgage Payments**

MORTGAGE LIENHOLDER	PROPERTY ADDRESS	MONTHLY PAYMENT BY DEBTOR
FIRST FEDERAL COMMUNITY BANK 630 CLARKSVILLE STREET PARIS, TX 75460	HOMESTEAD	\$1,458.00
	TO BE PAID DIRECT BY DEBTOR	

**Schedule A (Section 3.2 of Plan)**  
**Trustee to Cure Defaults (Arrears) and**  
**Debtor(s) to Maintain Direct Payments Obligations**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
FIRST FEDERAL COMMUNITY BANK 630 CLARKSVILLE STREET PARIS, TX 75460		\$ 0.00	\$7,000.00	-	\$0.00
	REF: MORTGAGE ARREARS NO CLAIM FILED - CLAIM NOT TO BE PAID				
TITUS COUNTY APPRAISAL DISTRICT PO BOX 528 MT PLEASANT, TX 75456-0528	1	\$ 1,541.28	\$1,541.28	12.00	\$0.00
	REF: PROPERTY TAXES - 2018 TO BE PAID IN FULL				
TITUS COUNTY TAX COLLECTOR 110 S. MADISON SUITE A MT PLEASANT, TX 75455	2	\$ 905.31	\$905.31	12.00	\$0.00
	REF: PROPERTY TAXES - 2018 TO BE PAID IN FULL				
NORTHEAST TX COMM COLL DIST 2777 N. STEMMONS FREEWAY SUITE 1000 DALLAS, TX 75207	8	\$ 1,153.05	\$1,153.05	12.00	\$0.00
	REF: PROPERTY TAXES - 2018-2019 TO BE PAID IN FULL				
OVATION SERVICES LLC 8401 DATAPOINT SUITE 1000 SAN ANTONIO, TX 78229	12	\$ 37,199.00	\$37,199.00	10.90	\$806.94
	REF: 4 MOBILE HOMES - RENTED OUT ON HOMESTEAD LAND TO BE PAID IN FULL				

**Schedule B (Section 3.3 of Plan)**  
**Trustee to Pay Secured Claims Protected from Section §506 Bifurcation**  
**(Non-cram down “910 Claims”)**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
OZARK RENTALS & INVESTMENTS GROUP, LLC PO BOX 8805 FAYETTEVILLE, AZ 72703	4	\$ 9,745.78	\$9,745.78	-	\$0.00
	REF: JUDGMENT TO BE PAID IN FULL				
OZARK RENTALS & INVESTMENTS GROUP, LLC PO BOX 8805 FAYETTEVILLE, AZ 72703	3	\$ 11,375.85	\$11,375.85	-	\$0.00
	REF: JUDGMENT TO BE PAID IN FULL				

**Schedule C (Section 3.4 of Plan)**

**Trustee to Pay Secured Claims Subject to Section §506 Bifurcation  
("506 Claims" subject to Cram down)**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	CREDITOR'S ASSERTED VALUE	INTEREST RATE	MONTHLY PAYMENT
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NONE

**Schedule D (Section 3.5 of Plan)**

**Direct Payments by Debtor of Secured Claims Not in Default on the Petition  
Date; Trustee will not pay**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
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NONE

**Schedule E (Section 3.6 of Plan)**

**Debtor(s)' Surrender of Property; Trustee will not Pay**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
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NONE

**Schedule F (Section 3.9 of Plan)**

**Debtor(s)' Lien Avoidance/Stripping (The Amount Avoided will be  
Treated as an Unsecured Claim under Section 5.2 of Plan)**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
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NONE

**Schedule G (Section 4.3 of Plan)**

**Trustee to Pay "Allowed Balance" of Attorney's Fees After AP Payments**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
RODNEY MCDANIEL ATTORNEY AT LAW 4503 TEXAS BOULEVARD, SUITE C TEXARKANA, TX 75503		\$ 0.00	\$3,000.00	-	\$0.00
REF: DEBTOR ATTORNEY TO BE PAID AS ADMINISTRATIVE; \$500.00 PAID DIRECT					

**Schedule H (Section 4.4, 4.5, and 4.6 of Plan)**  
**Trustee to pay Priority Claims as follows**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
INTERNAL REVENUE SERVICE P. O. BOX 7317 PHILADELPHIA, PA 19101-7317	5	\$ 3,530.71	\$0.00	-	\$0.00
	REF: TAXES 2016-2018  NOT PROVIDED FOR CURRENTLY				

**Section I (Section 5.1 of Plan)**  
**Treatment of Special Class Nonpriority Unsecured Claims**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
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**NONE**

**Section J (Section 5.2 of Plan)**  
**Treatment of Nonpriority Unsecured Claims**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
BANK OF AMERICA, N.A. P. O. BOX 15102 WILMINGTON, DE 19886	11	\$ 8,404.93	\$0.00	-	\$0.00
	REF: CREDIT CARD TO BE PAID AS UNSECURED				
DIRECTV, LLC BY AMERICAN INFOSOURCE LP AS AGENT PO BOX 5008 CAROL STREAM, IL 60197-5008	7	\$ 365.08	\$0.00	-	\$0.00
	REF: SERVICES RENDERED TO BE PAID AS UNSECURED				
INTERNAL REVENUE SERVICE P. O. BOX 7317 PHILADELPHIA, PA 19101-7317	5	\$ 12,686.71	\$0.00	-	\$0.00
	REF: TAXES 2013-2015 TO BE PAID AS UNSECURED				
JEFFERSON CAPITAL SYSTEMS, LLC PO BOX 772813 CHICAGO, IL 60677-2813	10	\$ 950.80	\$0.00	-	\$0.00
	REF: TELECOM TO BE PAID AS UNSECURED				
KIMP-AM/KALK-FM/KSCH-FM/KSC N-FM RADIO 3355 LENOX RD NE SUITE 945 ATLANTA, GA 30326	6	\$ 4,730.00	\$0.00	-	\$0.00
	REF: SERVICES PERFORMED TO BE PAID AS UNSECURED				
NPR TO TEXAS, LLC 256 WEST DATA DRIVE DRAPER, UT 84020	9	\$ 3,276.10	\$0.00	-	\$0.00
	REF: LEASE TO OWN TO BE PAID AS UNSECURED				

**Schedule K (Section 6.1 of Plan)**  
**Executory Contracts and Unexpired Leases ASSUMED by Debtor(s)**  
**(All other Executory Contracts/Unexpired Leases Not Listed REJECTED)**

CREDITOR	CLAIM NUMBER	CLAIM AMOUNT	CONFIRMED PLAN AMOUNT	INTEREST RATE	MONTHLY PAYMENT
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**NONE**



THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

IN RE:

MIKE AHLERS  
XXX-XX-5911  
1063 CR 3320  
MT. PLEASANT, TX 75455

SONDRA AHLERS  
XXX-XX-9352

DEBTORS

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CASE NO. 19-50152-R

CHAPTER 13

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS(WITH NOTICE OF BAR DATE FOR ADDITIONAL OBJECTIONS TO CLAIMS) has been served upon the following parties in interest on or before the date set forth below by electronic mail and/or by mailing a copy of same to them via first class mail . If no address is listed, no notice was sent to that party.

MIKE AHLERS  
SONDRA AHLERS  
1063 CR 3320  
MT. PLEASANT, TX 75455

RODNEY MCDANIEL  
ATTORNEY AT LAW  
4503 TEXAS BOULEVARD, SUITE C  
TEXARKANA, TX 75503

and to the parties on the attached mailing matrix.

Dated: August 11, 2020

/s/ Carey D. Ebert

Office of the Standing Chapter 13 Trustee

ATTORNEY GENERAL OF TEXAS  
COLLECTIONS DIV/ BANKRUPTCY  
SECTION  
PO BOX 12548  
AUSTIN, TX 78711-2548

BANK OF AMERICA, N.A.  
P O BOX 982284  
EL PASO, TX 79998-2284

BANK OF AMERICA, N.A.  
P. O. BOX 15102  
WILMINGTON, DE 19886

BOWIE COUNTY APPRAISAL DISTRICT  
TAX ASSESSOR-COLLECTOR  
BOX 6527  
TEXARKANA, TX 75505

CASS CO APP DIST  
502 N MAIN  
LINDEN, TX 75563

CMRE FINANCIAL SERVICES  
3075 E. IMPERIAL HWY #200  
BREA, CA 92821-6753

DIRECTV, LLC  
BY AMERICAN INFOSOURCE LP AS  
AGENT  
4515 N SANTA FE AVE  
OKLAHOMA CITY, OK 73118

DIRECTV, LLC  
BY AMERICAN INFOSOURCE LP AS  
AGENT  
PO BOX 5008  
CAROL STREAM, IL 60197-5008

FIRST FEDERAL COMMUNITY BANK  
630 CLARKSVILLE STREET  
PARIS, TX 75460

HARRISON & DUNCAN, PLLC  
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SAN ANTONIO, TX 78209

INTERNAL REVENUE SERVICE  
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PHILADELPHIA, PA 19101-7317

\* IRS  
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PHILADELPHIA, PA 19101-7346

JEFFERSON CAPITAL SYSTEMS  
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ST. COULD, MN 56302

JEFFERSON CAPITAL SYSTEMS, LLC  
PO BOX 772813  
CHICAGO, IL 60677-2813

JOE RIVERA  
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KIMP-AM/KALK-FM/KSCH-FM/KSCN-FM  
RADIO  
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ATLANTA, GA 30326

LINEBARGER GOGGAN BLAIR &  
SAMPSON LLP  
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1000  
DALLAS, TX 75207

NAMAN, HOWELL, SMITH & LEE  
P. O. BOX 1470  
WACO, TX 76703-1470

NE TX COMM COLL DIST (TITUS)  
C/O LAURIE S. HUFFMAN  
LINEBARGER GOGGAN BLAIR &  
SAMPSON LLP  
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DALLAS, TX 75201

NORTHEAST TX COMM COLL DIST  
2777 N. STEMMONS FREEWAY  
SUITE 1000  
DALLAS, TX 75207

NPRTO TEXAS, LLC  
256 WEST DATA DRIVE  
DRAPER, UT 84020

OVATION  
PO BOX 4258  
HOUSTON, TX 77210

OVATION SERVICES LLC  
8401 DATAPOINT SUITE 1000  
SAN ANTONIO, TX 78229

OVERSTOCKCOM COMENITY  
BANKRUPTCY  
PO BOX 182125  
COLUMBUS, OH 43218-2125

OZARK RENTALS  
P.O. BOX 8805  
FAYATTEVILLE, AR 72703-0014

OZARK RENTALS & INVESTMENTS  
GROUP, LLC  
PO BOX 8805  
FAYETTEVILLE, AZ 72703

SZABO ASSOCIATES  
3355 LENOX ROAD NORTHEAST  
9TH FLOOR  
ATLANTA, GA 30326

TIM TAYLOR  
PO BOX 1212  
MOUNT PLEASANT, TX 75456-1212

TITUS CO. HOSPITAL  
PO BOX 512  
MT. PLEASANT, 75456

TITUS COUNTY APPRAISAL DISTRICT  
PO BOX 528  
MT PLEASANT, TX 75456-0528

TITUS COUNTY TAX COLLECTOR  
110 S. MADISON SUITE A  
MT PLEASANT, TX 75455

TITUS COUNTY TAX OFFICE  
105 W FIRST ST  
STE 101  
MOUNT PLEASANT, TX 75455

UT SOUTHWESTERN MEDICAL  
P. O. BOX 845347  
DALLAS, TX 75284-5347